

**RESOLUTION NO. 2025 – 49**

**AN RESOLUTION ESTABLISHING A DESIGNATED OUTDOOR REFRESHMENT AREA (“DORA”) IN FAIRPORT HARBOR, OHIO PURSUANT TO OHIO REVISED CODE §4301.82, ENACTING REGULATIONS THEREOF, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ohio Revised Code §4301.82 permits a municipal corporation with a population of 50,000 or less to create a designated outdoor refreshment areas (“DORA”) pursuant to the provisions of Ohio Revised Code §4301.82; and

**WHEREAS**, on April 4, 2025, the Mayor submitted an application to this Council to consider establishing a DORA (the “Application”); and

**WHEREAS**, the Application includes a map delineating the specific boundaries of the DORA; the specific street addresses of establishments located within the DORA; the nature and types of established located within the DORA; the type of signage that will designate the DORA; the number of personnel needed to ensure public safety in the DORA; the sanitation plan that will help maintain the appearance and public health within the DORA; the number of staff needed to carry out the sanitation plan; and a requirement that beer and intoxicating liquors be served in non-glass containers within the DORA; and

**WHEREAS**, notice of the receipt of said Application and its availability for public inspection was duly published in the News-Herald, a newspaper of general circulation within the Village, on April 19, 2025, in accordance with ORC§4301.82(C); and

**WHEREAS**, Ohio law requires that the legislative authority of a municipal corporation must adopt an ordinance that establishes requirements and regulations for the proposed DORA to ensure public health and safety within the DORA, and, Ohio law further specifies certain information that is to be included in said ordinance; and

**WHEREAS**, the approval of the proposed DORA will facilitate growth of the Village, specifically its central business district, and the lakefront tourism industry, and encourage additional economic activity and investment in the historic core of the Village, and enhance the experience for both residents and visitors to the Village; and

**WHEREAS**, notice of this Resolution was published in the News-Herald, a newspaper of general circulation within the Village, on April 19, 2025, in accordance with ORC §4301.82(F)(2); and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Village of Fairport Harbor, in the County of Lake, State of Ohio, as follows:

**SECTION 1.** The Council approves the DORA Application, attached hereto and made a part hereof, as having met the requirements of ORC §4301.82(B)(1-5) and approves the establishment of the Fairport Harbor Designated Outdoor Refreshment Area.

**SECTION 2.** That in order to ensure public health and safety and in accordance with ORC §4301.82(F)(1)(b), the number, spacing, and type of signage designating the DORA boundary shall be as set forth on the DORA Application.

**SECTION 3.** The DORA encompasses not fewer than two (2) qualified permit holders, all of which are identified in the DORA Application, by business name, address, liquor permit type and liquor permit number. Also included in the DORA Application and in accordance with §4301.82(F)(1)(c) are the hours

of operation for the DORA, which will apply to all activity within the DORA, only as may be limited by approval of special event permitting.

**SECTION 4.** The Public Health & Safety Plan as described in the DORA Application, is hereby approved as meeting the requirements of §4301.82(F)(1)(d), including the manner in which the number of personnel needed to carry out the plan shall be determined.

**SECTION 5.** The Sanitation Plan that will help maintain the appearance and public health of the area as described in the DORA Application, is hereby approved as meeting the requirements of §4301.82(F)(1)(e-f), including the manner in which the number of personnel needed to carry out the plan shall be determined.

**SECTION 6.** As is required by §4301.82(F)(1)(g), and outlined in the DORA Application, beer and intoxicating liquor shall only be served in plastic bottles or other plastic containers.

**SECTION 7.** As required by §4301.82(I)(1), the Council shall review the requirements of the DORA, as established herein, within five years from the effective date of this Resolution.

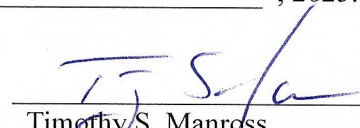
**SECTION 8.** The Administrator is hereby instructed to forward a copy of this Resolution to the Ohio Division of Liquor Control and to the investigative unit of the Ohio Department of Public Safety, all in accordance with ORC §4301.82(C) and §4301.82(F)(3)

**SECTION 9.** This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

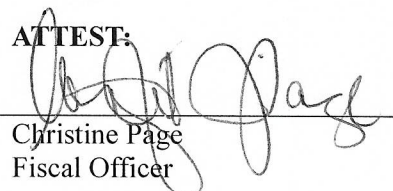
**SECTION 10.** This resolution is deemed to be an emergency for the health, safety, and welfare of the residents of the Village, to allow for implementation during the 2025 summer tourist season, and shall take effect immediately upon adoption.

**ADOPTED** by the Council of the Village of Fairport Harbor, Ohio, this

20th day of May, 2025.

  
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Timothy S. Manross  
Mayor

**ATTEST:**

  
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Christine Page  
Fiscal Officer